

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEBORA NOVAKOWSKI,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 04-356E
	)	
ELAINE CHAO, SECRETARY, AND THE	)	JUDGE McLAUGHLIN
UNITED STATES DEPARTMENT	)	
OF LABOR,	)	
	)	ELECTRONICALLY FILED
Defendants.	)	

**DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME TO  
FILE A MOTION FOR SUMMARY JUDGMENT**

AND NOW, come Defendants, Elaine Chao, Secretary, and the United States Department of Labor, by their attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Paul E. Skirtich, Assistant United States Attorney for said district, and, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, file the following Motion for Enlargement of Time to File a Motion for Summary Judgment. In support of his Motion, Defendant respectfully avers as follows:

1. On December 29, 2005, this Court ordered Discovery to close by January 28, 2006, and Defendants' Motion for Summary Judgment to be filed by February 16, 2006.

2. This is Defendants' first request for an extension of time.

3. This case is ripe for a potentially dispositive pleading. More time is needed so Counsel for Defendants can receive transcripts of all depositions; secure affidavits from

current out-of-jurisdiction Department of Labor employees and retired employees; and coordinate review of all pleadings with out-of-district counsel.

4. As of February 10, 2006, Plaintiff's counsel, John Linkosky, had no position to the granting of this Motion pending a decision from his client.

WHEREFORE, based upon the above, Defendants, Elaine Chao, Secretary, and the United States Department of Labor, respectfully request that the Court issue an Order enlarging the time to file Defendants' Motion for Summary Judgment by sixty (60) days and to extend Plaintiff's response by the same amount of time.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

s/Paul E. Skirtich  
PAUL E. SKIRTICH  
Assistant U.S. Attorney  
U.S. Post Office & Courthouse  
700 Grant Street, Suite 4000  
Pittsburgh, PA 15219  
(412) 894-7418  
PA ID No. 30440

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Defendants' Motion for Enlargement of Time to File a Motion for Summary Judgment was electronically filed and/or served by postage-paid U.S. Mail to and upon the following:

John Linkosky, Esquire  
John Linkosky & Associates  
715 Washington Avenue  
Carnegie, PA 15106

s/Paul E. Skirtich  
PAUL E. SKIRTICH  
Assistant U.S. Attorney

Dated: February 16, 2006